

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

ARC CONTROLS, INC.,)
Plaintiff,)
)
v.)
) CASE NO. 1:19-cv-391-LG-RPM
)
M/V NOR GOLIATH, <i>in rem</i> , and) <i>Consolidated with:</i>
GOLIATH OFFSHORE HOLDINGS PTE.) CASE NO. 1:19-cv-395-LG-RPM
LTD., <i>in personam</i>)
)

STIPULATION OF VOLUNTARY DISMISSAL UNDER RULE 41

On motion of Defendant and Counter-Claimant, Goliath Offshore Holdings Pte. Ltd., *in personam* (“Goliath”) and Intervenor Plaintiff and Counter-Defendant, Candy Apple, L.L.C. (“Candy Apple”), appearing herein through undersigned counsel, and, upon suggesting to this Honorable Court that Goliath desires to dismiss all remaining claims made against Candy Apple *in personam*, and the M/V CANDY APPLE, *in rem*, in its Counterclaim, Rec. Doc. No. 251, accordingly, Goliath respectfully prays for a dismissal of all remaining claims again Candy Apple *in personam*, and the M/V CANDY APPLE, *in rem*, with prejudice, each party to bear its own costs.

Respectfully submitted:

/s/Miles P. Clements

James G. Wyly, III (MS Bar 7415)
Phelps Dunbar LLP
2602 13th Street, Suite 300
Gulfport, Mississippi 39501
Telephone: (228) 679-1130
Facsimile: (228) 679-1131
E-Mail: jim.wyly@phelps.com

Miles P. Clements, T.A. (LA Bar 4184)

Joseph E. Lee III (LA Bar 26968)
Zachary J. Ardoin (LA Bar 37575)
Phelps Dunbar LLP
365 Canal Street, Suite 2000
New Orleans, Louisiana 70130
Telephone: (504) 566-1311
Facsimile: (504) 568-9130
E-Mail: miles.clements@phelps.com
josh.lee@phelps.com
zachary.ardoin@phelps.com

Counsel for Defendant and Counter Claimant
Goliath Offshore Holdings Pte. Ltd.

-and-

/s/Samuel D. Gregory

Alan W. Smith (MS Bar 10345)
Samuel D. Gregory (MS Bar 104563)
Baker, Donelson, Bearman, Caldwell & Berkowitz,
PC
Mailing: P.O. Box 14167
Physical: One Eastover Center
100 Vision Drive, Suite 400
Jackson, Mississippi 39211
Telephone: (601) 351-2400
E-Mail: asmith@bakerdonelson.com
sdgregory@bakerdonelson.com

Kristen L. Hayes (LA Bar 36490)

Baker, Donelson, Bearman, Caldwell & Berkowitz,
PC
201 St. Charles Avenue, Suite 3600
New Orleans, Louisiana 70170

Telephone: (504) 566-5200
E-Mail: klhayes@bakerdonelson.com

Counsel for Intervenor Plaintiff and Counter
Defendant Candy Apple, L.L.C.

Certificate of Service

I HEREBY CERTIFY that, on the 1st day of March, 2021, I electronically filed the foregoing with the Clerk of Court by using the CM/ECF system, that service was accomplished through the Notice of Electronic Filing on Filing Users, and that service was accomplished on any party or counsel who is not a Filing User by other means in accordance with the Federal Rules of Civil Procedure and the Local Rules of this Court.

/s/Miles P. Clements